IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14115 of 2004

Between:

Sree Rama Talkies, Vijayawada, Krishna District represented by its Managing Partner T.Sai Surya Prasad

..... PETITIONER

AND

The Joint Collector & Licensing Authority (Home-Cinemas), Krishna District at Machilipatnam

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondent herein in not passing any orders on the application of the petitioner dated 22-12-2003 for reduction of seating capacity as illegal, null, void and arbitrary

Counsel for the Petitioner: MR.K.DURGA PRASAD

Counsel for the Respondents: GP FOR HOME

The Court made the following :

ORDER:

Petitioner seeks a Writ of Mandamus declaring the alleged inaction on the part of the respondent in not passing any orders on the application of the petitioner dated 22.12.2003 for reduction of seating capacity of the petitioner-theatre as illegal and arbitrary.

The petitioner states that it made an application on 22.12.2003 for reduction of seats from 529 to 475. It is alleged that in spite of the fact that the application was made as long back as on 22.12.2003, the respondent, who is the licensing authority failed to pass any order so far.

Learned counsel for the petitioner has brought to my notice that in W.P.No.31027 of 1998, dated 26.08.1999 this Court having considered an identical issue disposed of the writ petition formulating certain guidelines and directing the licensing authority to consider any application filed at any time seeking reduction of seating capacity subject to the provisions of rule 10 A without any restrictions as to cut of date.

Following the same, the writ petition is disposed of with a direction to the respondent to consider the representation of the petitioner dated 22.12.2003 and pass appropriate orders in accordance with law within a period of three weeks from the date of receipt of this order.

Accordingly, writ petition is disposed of. No order as to costs.

11-08-2004

Note: Issue C.C. in three days

B/o

Klp/bcj

To

To

1. The Joint Collector & Licensing Authority (Home-Cinemas), Krishna District at Machilipatnam

2.2CCs to G.P. for Home, High Court buildings, Hyderabad.

3.2CD copies